

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

PRINCE KNIGHT

PLAINTIFF

v.

CAUSE NO. 3:18CV34-LG-LRA

WARDEN L. SHULTS; et al.

DEFENDANTS

**ORDER ADOPTING REPORTS AND RECOMMENDATIONS AND
GRANTING MOTIONS FOR SUMMARY JUDGMENT**

BEFORE THE COURT are the two [72][73] Reports and Recommendations of United States Magistrate Judge Linda R. Anderson, recommending that the [63][61] Motions for Summary Judgment filed by Defendants J. Paxton and Warden L. Shults, respectively, be granted. Magistrate Judge Anderson determined that these defendants are entitled to summary judgment on Plaintiff Prince Knight's remaining *Bivens* First Amendment and RFRA claims because (1) Knight has not demonstrated that remedies under *Bivens* should be extended to First Amendment claims and (2) Knight has failed to demonstrate that the substitution of mainline menu items for the ceremonial Islamic meal on February 28, 2017 substantially burdened his religious beliefs in violation of RFRA. Judge Anderson also recommends that all claims against Defendant Z. Lee be dismissed for the same reasons and for the reasons stated in the previously adopted [47] Report and Recommendation. Knight filed a timely [74] Objection to both R&Rs.

A party that files a timely objection is entitled to a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which specific objection is made. *United States v. Raddatz*, 447 U.S. 667, 673

(1980); 28 U.S.C. § 636(b)(1). The objections must specifically identify those findings or recommendations to which objections are being made. The district court need not consider frivolous, conclusive, or general objections. *Battle v. U.S. Parole Comm'n*, 834 F.2d 419, 421 (5th Cir. 1987). Moreover, where the objections are repetitive of the arguments already made to the magistrate judge and the district court finds no error, the court need not make new findings or reiterate the findings of the magistrate judge. *Hernandez v. Livingston*, 495 F. App'x 414, 416 (5th Cir. 2012); *Koetting v. Thompson*, 995 F.2d 37, 40 (5th Cir. 1993).

Knight makes no argument concerning his *Bivens* First Amendment claim; he objects only to the recommendation that his RFRA claims be dismissed. Upon *de novo* review, however, his arguments lack merit. He reargues that Defendants acted contrary to law and official Bureau of Prisons policy. Knight does not challenge Judge Anderson's factual findings and determination that he failed to demonstrate a substantial burden to his religious beliefs.

The Court has conducted a *de novo* review of Knight's objections to the magistrate judge's findings, the record in this case, and relevant law. For the reasons stated in Magistrate Judge Anderson's [72][73] Reports and Recommendations, the defendants' [63][61] Motions for Summary Judgment will be granted and Knight's claims against all defendants will be dismissed with prejudice.

IT IS THEREFORE ORDERED AND ADJUDGED that the [72][73] Reports and Recommendations of United States Magistrate Judge Linda R. Anderson on February 7, 2020 are **ADOPTED** as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that the [63] Motion for Summary Judgment filed by Defendant J. Paxton and the [61] Motion for Summary Judgment filed by Defendant Warden L. Shults are **GRANTED**. Plaintiff's remaining claims against all Defendants are **DISMISSED with prejudice**.

SO ORDERED AND ADJUDGED this the 16th day of March, 2020.

s\ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE